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Re:	Attorney Docket: PF50105	cc:	

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• Comments:

In re Application of: Hoessel et al.

Serial No.: 09/604,001

Filing Date: June 26, 2000

Attachment:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
IN RE APPLICATION

OF: HÖSSEL ET AL.

SERIAL No. 09/604,001

FILED: JUNE 26, 2000

FOR: USE OF CROSSLINKED CATIONIC POLYMERS IN SKIN COSMETIC
AND DERMATOLOGICAL PREPARATIONS

ATTY. DOCKET: PF50105

CONFIRMATION No.: 2632

GROUP ART UNIT: 1615

EXAMINER: B. M. FUBARA

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P.O. Box 1450
Alexandria, VA 22313-1450REPLY BRIEF UNDER 37 C.F.R. §41.41

Sir:

The following is submitted in reply to the Examiner's Answer dated September 08, 2005. It is respectfully submitted that appellants stand by their position taken in the main Brief on Appeal.

It is noted that the Examiner has essentially reiterated her original position. Additionally, the Examiner now appears to argue regarding the issue (2) that the reference of *Tropsch et al.* to "polyvinylamine" and to "vinylimidazole" to be a reference to monomers meeting the provisions of our component (e).¹⁾ However, neither component meets the provisions of appellants constituent (e) which is required to have "at least two ethylenically unsaturated, nonconjugated double bonds".

It is respectfully urged that a "polyvinylamine" is a polymer formed by polymerization of the vinyl group(s) of vinylamine(s) (or precursors thereof) so that polyvinylamine does not comprise unconju-

1) Cf. pages 5 and 6 and pages 9 and 10 of the Examiner's Answer.

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gated double bonds which are suitable for cross-linking. Similarly, "vinylimidazole" does not contain "at least two ethylenically unsaturated, nonconjugated double bonds" and is therefore also outside of the realm of the constituents (e) referenced in appellants' claims.

Appellants respectfully reiterate their request that the Examiner's rejection

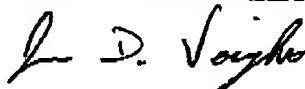
- of appellants' Claims 1 to 13 and 15 under 35 U.S.C. §103(a) based on the teaching of *Vhl et al.*,
- of appellants' Claims 1 to 13 and 15 under 35 U.S.C. §103(a) based on the teaching of *Tropsch et al.*, and
- of appellants' Claims 1 to 13 and 15 under the judicially created doctrine of obviousness-type double patenting based on Claims 1 to 13 of *Tropsch et al.*;

be reversed. Favorable action is solicited.

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Respectfully submitted,

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